

**UNITED STATES DISTRICT COURT**  
for the

Eastern District of North Carolina

United States of America

v.

Mario Duane Lyons

)  
) Case No: 05:01-CR-162-1H  
) USM No: 18943-056  
) Thomas P. McNamara  
*Defendant's Attorney*

Date of Original Judgment: 05/15/2002

Date of Previous Amended Judgment: \_\_\_\_\_

(Use Date of Last Amended Judgment if Any)

**ORDER REGARDING MOTION FOR SENTENCE REDUCTION  
PURSUANT TO 18 U.S.C. § 3582(c)(2)**

Upon motion of  the defendant  the Director of the Bureau of Prisons  the court under 18 U.S.C. § 3582(c)(2) for a reduction in the term of imprisonment imposed based on a guideline sentencing range that has subsequently been lowered and made retroactive by the United States Sentencing Commission pursuant to 28 U.S.C. § 994(u), and having considered such motion, and taking into account the policy statement set forth at USSG §1B1.10 and the sentencing factors set forth in 18 U.S.C. § 3553(a), to the extent that they are applicable,

**IT IS ORDERED** that the motion is:

DENIED.  GRANTED and the defendant's previously imposed sentence of imprisonment (*as reflected in the last judgment issued*) of \_\_\_\_\_ months is reduced to \_\_\_\_\_

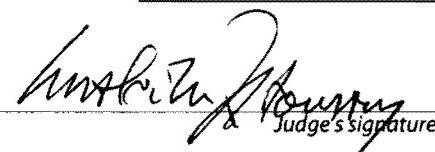
The amount of crack cocaine involved is 8.4 kilograms or greater.

If the amount of time the defendant has already served exceeds this sentence, the sentence is reduced to a "Time Served" sentence, subject to an additional period of up to ten (10) days for administrative purposes of releasing the defendant.

*(Complete Parts I and II of Page 2 when motion is granted)*

Except as otherwise provided, all provisions of the judgment(s) dated May 15, 2002 shall remain in effect. **IT IS SO ORDERED.**

Order Date: 2/21/12

  
*Malcolm J. Howard*  
Judge's signature

Effective Date: \_\_\_\_\_  
(if different from order date)

Malcolm J. Howard, Senior U.S. District Judge  
Printed name and title